

**U.S. District Court
Northern District of Texas (Fort Worth)
CRIMINAL DOCKET FOR CASE #: 4:18-mj-00445-BJ All Defendants**

Case title: USA v. Mercado

Date Filed: 07/24/2018

Other court case number: 6:18-CR-48 Eastern District of
Texas/Tyler

Date Terminated: 07/24/2018

Assigned to: Magistrate Judge
Jeffrey L. Cureton

Defendant (1)

Jorge Fernando Mercado
TERMINATED: 07/24/2018

represented by **Jaidee Serrano – FPD**
Federal Public Defender – Fort Worth
819 Taylor Street
Room 9A10
Fort Worth, TX 76102
817-978-2753
Fax: 817-978-2757
Email: jaidee_serrano@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Federal Public Defender
Appointment
Bar Status: Admitted/In Good Standing

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

16:703 Unlawful Sale of migratory
birds

Disposition

Plaintiff**USA**represented by **J Stevenson Weimer–DOJ**

US Attorney's Office

801 Cherry St

Suite 1700, Unit 4

Fort Worth, TX 76102

817/252–5200

Fax: 817–252–5455

Email: jay.weimer@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney**Bar Status: Admitted/In Good Standing*

Date Filed	#	Page	Docket Text
07/24/2018		3	Arrest (Rule 5) of Jorge Fernando Mercado. Case Number 6:18–CR–48 Indictment and Warrant from Eastern District of Texas/Tyler. (jah) (Entered: 07/26/2018)
07/24/2018	1	4	ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Jeffrey L. Cureton: Initial Appearance Re: Rule 5(c) Hearing as to Jorge Fernando Mercado held on 7/24/2018. Date of Arrest: 7/23/2018 on warrant from the Eastern District of Texas/Tyler; Deft executed financial affidavit; O/appointing FPD entered; Deft executed waiver of identity; O/commitment to prosecuting district entered; Deft remanded to custody. Attorney Appearances: AUSA – Jay Weimer; Defense – Jaidee Serrano. (Court Reporter: Digital File) (No exhibits) Time in Court – :06. (jah) (Entered: 07/26/2018)
07/24/2018	<u>2</u>	6	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Jorge Fernando Mercado. (Ordered by Magistrate Judge Jeffrey L. Cureton on 7/24/2018) (jah) (Entered: 07/26/2018)
07/24/2018	<u>3</u>	7	WAIVER of Rule 5(c) Hearings by Jorge Fernando Mercado re: identity & requests detention hearing in prosecuting district (jah) (Entered: 07/26/2018)
07/24/2018	<u>4</u>	8	MOTION for Pretrial Detention filed by USA as to Jorge Fernando Mercado (jah) (Entered: 07/26/2018)
07/24/2018	<u>5</u>	9	Report of Proceedings under Rule 5(c)(3) and 5.1 as to Jorge Fernando Mercado. Defendant is removed forthwith to the district in which he is charged. Paperwork sent to Eastern District of Texas/Tyler. (Ordered by Magistrate Judge Jeffrey L. Cureton on 7/24/2018) (jah) (Entered: 07/26/2018)

MIME-Version:1.0
From:ecf_txnd@txnd.uscourts.gov
To:Courtmail@localhost.localdomain
Bcc:
--Case Participants: J Stevenson Weimer-DOJ (caseview.ecf@usdoj.gov, cynthia.hood@usdoj.gov, janise.withers@usdoj.gov, jay.weimer@usdoj.gov, jessica.sanchez@usdoj.gov, liuva.ruiz@usdoj.gov, michelle.thom@usdoj.gov, victoria.anderson@usdoj.gov), Magistrate Judge Jeffrey L. Cureton (kristi_verna@txnd.uscourts.gov, margarita_koye@txnd.uscourts.gov)
--Non Case Participants: Probation Office (txnp_edocs-pro@txnp.uscourts.gov), U.S. Marshals Office (usms-txn-court_docket@usdoj.gov)
--No Notice Sent:

Message-Id:10895559@txnd.uscourts.gov
Subject:Activity in Case 4:18-mj-00445-BJ USA v. Mercado Arrest - Rule 5/32/40
Content-Type: text/html

If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: Judges' Copy Requirements. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov. If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge.

U.S. District Court

Northern District of Texas

Notice of Electronic Filing

The following transaction was entered on 7/26/2018 at 5:03 PM CDT and filed on 7/24/2018

Case Name: USA v. Mercado
Case Number: 4:18-mj-00445-BJ
Filer:
Document Number: No document attached

Docket Text:

Arrest (Rule 5) of Jorge Fernando Mercado. Case Number 6:18-CR-48 Indictment and Warrant from Eastern District of Texas/Tyler. (jah)

4:18-mj-00445-BJ-1 Notice has been electronically mailed to:

J Stevenson Weimer-DOJ jay.weimer@usdoj.gov, CaseView.ECF@usdoj.gov, Cynthia.Hood@usdoj.gov, Jessica.Sanchez@usdoj.gov, Liuva.Ruiz@usdoj.gov, Victoria.Anderson@usdoj.gov, janise.withers@usdoj.gov, michelle.thom@usdoj.gov

4:18-mj-00445-BJ-1 The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will serve notice of court Orders and Judgments by mail as required by the federal rules. An attorney/pro se litigant is cautioned to carefully follow the federal rules (see FedRCivP 5) with regard to service of any document the attorney/pro se litigant has filed with the court. The clerk's office will not serve paper documents on behalf of an attorney/pro se litigant.

MIME-Version:1.0
From:ecf_txnd@txnd.uscourts.gov
To:Courtmail@localhost.localdomain
Bcc:
--Case Participants: Jaidee Serrano - FPD (belinda_sandoval@fd.org, jaidee_serrano@fd.org, norma_field@fd.org, patricia_tovar@fd.org), J Stevenson Weimer-DOJ (caseview.ecf@usdoj.gov, cynthia.hood@usdoj.gov, janise.withers@usdoj.gov, jay.weimer@usdoj.gov, jessica.sanchez@usdoj.gov, liuva.ruiz@usdoj.gov, michelle.thom@usdoj.gov, victoria.anderson@usdoj.gov), Magistrate Judge Jeffrey L. Cureton (kristi_verna@txnd.uscourts.gov, margarita_koye@txnd.uscourts.gov)
--Non Case Participants: Probation Office (txnp_edocs-pro@txnp.uscourts.gov)
--No Notice Sent:

Message-Id:10895578@txnd.uscourts.gov
Subject:Activity in Case 4:18-mj-00445-BJ USA v. Mercado Initial Appearance
Content-Type: text/html

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U.S. District Court

Northern District of Texas

Notice of Electronic Filing

The following transaction was entered on 7/26/2018 at 5:13 PM CDT and filed on 7/24/2018

Case Name: USA v. Mercado
Case Number: 4:18-mj-00445-BJ
Filer:
Document Number: 1(No document attached)

Docket Text:

ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Jeffrey L. Cureton: Initial Appearance Re: Rule 5(c) Hearing as to Jorge Fernando Mercado held on 7/24/2018. Date of Arrest: 7/23/2018 on warrant from the Eastern District of Texas/Tyler; Deft executed financial affidavit; O/appointing FPD entered; Deft executed waiver of identity; O/commitment to prosecuting district entered; Deft remanded to custody. Attorney Appearances: AUSA – Jay Weimer; Defense – Jaidee Serrano. (Court Reporter: Digital File) (No exhibits) Time in Court – :06. (jah)

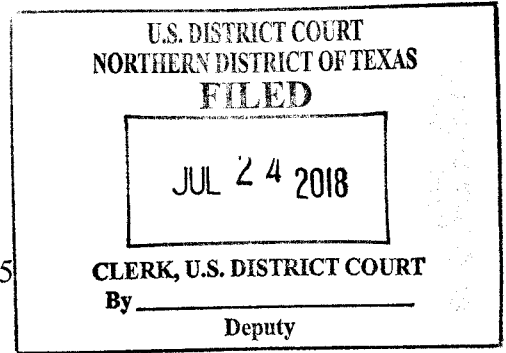
4:18-mj-00445-BJ-1 Notice has been electronically mailed to:

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Jaidee Serrano – FPD jaidee_serrano@fd.org, belinda_sandoval@fd.org, norma_field@fd.org, patricia_tovar@fd.org

4:18-mj-00445-BJ-1 The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will serve notice of court Orders and Judgments by mail as required by the federal rules. An attorney/pro se litigant is cautioned to carefully follow the federal rules (see FedRCivP 5) with regard to service of any document the attorney/pro se litigant has filed with the court. The clerk's office will not serve paper documents on behalf of an attorney/pro se litigant.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

§

§

V.

§

NO. 4:18-MJ-445

§

JORGE FERNANDO MERCADO

§

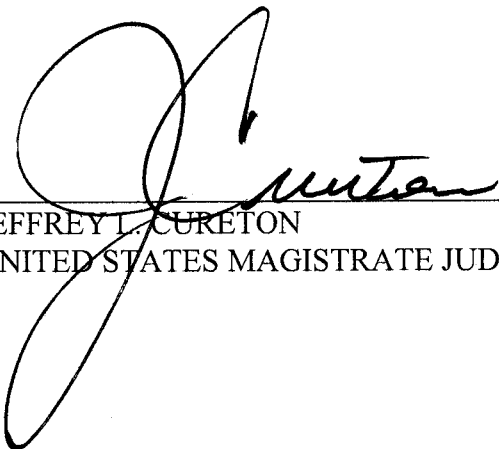
ORDER APPOINTING FEDERAL PUBLIC DEFENDER

The above-named defendant has testified under oath, or has otherwise satisfied this court that such defendant (1) is financially unable to employ counsel, (2) wants to be represented by counsel, and (3) has not waived representation by counsel; accordingly,

It is ordered that the Federal Public Defender's Office for this District be and hereby is appointed pursuant to Section 3006A of Title 18, United States Code to represent the defendant named above.

It is further ordered that the Federal Public Defender's Office be given immediate access to the above-named Defendant.

Signed: July 24, 2018



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE

United States District Court

NORTHERN DISTRICT OF TEXAS AT FORT WORTH

UNITED STATES OF AMERICA

V.

JORGE FERNANDO MERCADO

§ WAIVER OF RULE 5(c) HEARINGS
§ (Excluding Probation Cases)

§
§
§ CASE NUMBER: 4:18-MJ-445

I, Jorge Fernando Mercado, understand that in the Eastern District of Texas/Tyler, charges are pending, and I have been arrested in this District and taken before a United States Magistrate Judge who informed me of, the charge and of my right to:

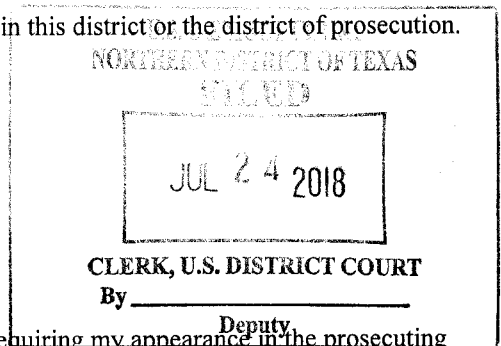
(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- (✓) identity hearing
(✓) I have been informed I have no right to a preliminary examination

I HEREBY REQUEST THAT MY DETENTION HEARING BE

- (✓) held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.
() held in this district.



Defendant

Defense Counsel

July 24, 2018

ORIGINAL

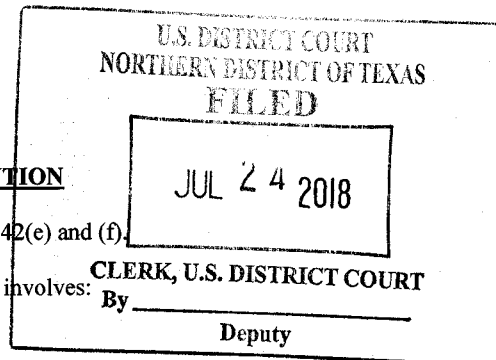
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:18-MJ-445

JORGE FERNANDO MERCADO (01)



GOVERNMENT'S MOTION FOR PRETRIAL DETENTION

The United States moves for pretrial detention of the defendant pursuant to 18 U.S.C. §§ 3142(e) and (f).

- 1. Eligibility of Case:** This case is eligible for a detention order because the case involves:
- ☐ Crime of violence [18 U.S.C. § 3156]
 - ☐ Maximum sentence of LIFE imprisonment or death
 - ☐ Controlled Substance offense punishable by 10 or more years
 - ☐ Felony with 2 prior convictions in above categories
 - ☐ Felony involving a minor victim
 - ☐ Felony involving the possession or use of a firearm, destructive device, or other dangerous weapon
 - ☐ Felony involving a failure to register under 18 U.S.C. § 2250
 - ☒ Serious risk that the Defendant will flee
 - ☐ Serious risk that Defendant will obstruct justice

2. Reason for Detention. The Court should detain the Defendant because there are no conditions of release which would reasonably assure:

- ☒ Defendant's appearance as required
- ☐ The safety of the community
- ☐ The safety of another person.

3. The United States will not invoke the rebuttable presumption against the Defendant because: there is probable cause to believe that the Defendant has committed:

- ☐ A Controlled Substance Offense punishable by 10 or more years imprisonment
- ☐ A firearms offense under Title 18, United States Code, Section 924(c)
- ☐ A federal crime of terrorism punishable by 10 or more years imprisonment
- ☐ A Felony -listed in 18 U.S.C. § 3142(e) - involving a minor victim
- ☐ A Felony involving a failure to register under 18 U.S.C. § 2250
- ☐ The Defendant has previously been convicted of an offense described in 18 USC 3142(f)(1) which was committed while the Defendant was released on bond pending trial for any offense and less than 5 years have elapsed since the latter of the defendant's conviction or date of release from imprisonment for such conviction..

- 4. Time for Detention Hearing.** The United States requests the Court to conduct the detention hearing
- ☐ at the Defendant's first appearance
 - ☒ After a continuance of 3 days.

Respectfully submitted,

ERIN NEALY COX
UNITED STATES ATTORNEY

JAY WEIMER
Assistant United States Attorney
Texas State Bar No. 24013727
801 Cherry Street, Suite 1700
Fort Worth, Texas 76102
Telephone: 817-252-5200
Facsimile: 817-252-5455
Jay.Weimer@usdoj.gov

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above pleading was this day served upon the Defendant or his counsel of record in accordance with the provisions of Rule 49 of the Federal Rules of Criminal Procedure.

DATE: July 24, 2018

JAY WEIMER
Assistant United States Attorney

UNITED STATES DISTRICT COURT

Northern

District of

Texas at Fort Worth

UNITED STATES OF AMERICA
V.COMMITMENT TO ANOTHER
DISTRICT

JORGE FERNANDO MERCADO

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

6:18-CR-48

4:18-MJ-445

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment ☐ Information ☐ Complaint ☐ Other (specify) ☐ Petition

charging a 16 U.S.C. 703 and 707(b)

DISTRICT OF OFFENSE

Eastern District of Texas/Tyler

DESCRIPTION OF CHARGES:

Unlawful sale of migratory birds

CURRENT BOND STATUS:

- ☐ Bail fixed at _____ and conditions were not met
- ☐ Government moved for detention and defendant detained after hearing in District of Arrest
- ☒ Government moved for detention and defendant detained pending detention hearing in District of Offense
- Other (specify) _____

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

JUL 24 2018

CLERK, U.S. DISTRICT COURT

By _____
Deputy

Representation:

☐ Retained Own Counsel☒ Federal Defender Organization☐ CJA ☐

None

Interpreter Required?

☒ No☐ Yes

Language: _____

DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

July 24, 2018

Date

Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL